

By: Representative Watson

To: Judiciary A

HOUSE BILL NO. 1059

1 AN ACT TO AMEND SECTION 93-13-17, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE BOND AND OATH OF A GUARDIAN; AND FOR RELATED
3 PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 93-13-17, Mississippi Code of 1972, is
6 amended as follows:

7 93-13-17. Every guardian, before he shall have authority to
8 act, shall, unless security be dispensed with by will or writing
9 or as hereinafter provided, enter into bond payable to the state,
10 in a penalty equal to the value of all the personal estate and
11 with such sureties as the court may require; and the bond shall be
12 recorded and may be put in suit for any breach of the condition,
13 whether the appointment be legal or not; and the condition shall
14 be as follows:

15 "The condition of the above obligation is that if
16 the above bound _____, as guardian of _____, of _____
17 County, shall faithfully discharge all the duties
18 required of him by law, then the above obligation shall
19 cease."

20 And the guardian shall also take and subscribe an oath, at or
21 prior to the time of his appointment, faithfully to discharge the
22 duties of guardian of the ward according to law.

23 A guardian need not enter into bond, however, as to such part
24 of the assets of the ward's estate as may, pursuant to an order of
25 the court in its discretion, be deposited in any one or more
26 banking corporations, building and loan associations or savings
27 and loan associations in this state so long as such deposits are

28 fully insured, such deposits there to remain until the further
29 order of the court, and a certified copy of the order for deposit
30 having been furnished the depository or depositories and its
31 receipt acknowledged.

32 **SECTION 2.** This act shall take effect and be in force from
33 and after its passage.